

Testimony of
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and Power of the Committee on Resources,
U.S. House of Representatives
Ken Calvert, Chair

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Congressman Calvert and Members of the Subcommittee on Water and Power:

Thank you for your invitation to testify today on the "Implementation of the California Plan for the Colorado River". A tremendous amount of creative and cooperative work has gone into the preparation and implementation of the California plan for the Colorado River at all levels of government, federal, state and regional. It is no small achievement for a state and its subdivisions apparently to commit to an effective reduction of 600,000-800,000 acre feet per year in its diversions of water from any source, especially one on which it has been dependent in some cases for over a century and in others for sixty years and longer. Yet that is collectively what the state of California, the Coachella Valley Water District (CVWD), the Imperial Irrigation District (IID), the Metropolitan Water District of Southern California (MWD), and the San Diego County Water Authority (SDCWA) have done with respect to California's withdrawals from the Colorado River. Voluntary conservation and transfer. Quantification settlement. Innovative groundwater storage and conjunctive use. All are important and praiseworthy aspects of the California plan.

Should California succeed in implementing its plan, many other interests dependent on the Colorado River will have a significantly higher probability of meeting their needs and desires. Among these interests are the other six Colorado River Basin states. In particular, here within the Lower Basin, Arizona's Central Arizona Project diversions are generally junior to California's 4.4 million acre feet entitlement and Nevada's 300,000 acre feet entitlement may not be sufficient over the long-term to meet burgeoning growth in the greater Las Vegas metropolitan area. Other potential beneficiaries of California's success in implementing its Plan are the Colorado River Basin's Indian tribes, towards whom the United States has solemn trust responsibilities; the users of the River in Mexico, where the per capita consumptive use of water in the region's cities is much lower than in the United States and where economic development is surging; and at least in the long term the environmental resources of the long neglected Colorado River Delta and Gulf of California, whose values have only recently been acknowledged in international negotiations and forums (even as the Interim Surplus Guidelines may diminish the available potential water supplies available to serve their needs).

In addition to impacting the Delta, implementation of the California plan potentially could also bring about significant losses within California. Of these potential losses, the most significant are the environmental values associated with the Salton Sea and the community's interests in the Imperial Valley. Ironically, both of these resources are already threatened, even without implementation of the conservation and transfer components of the California plan having yet produced any significant effects.

Just as the various levels of government should receive appropriate credit for the promulgation of the California plan, so should they all bear at least partial responsibility for the current problems of the Salton Sea and for economic inequities and hardships within the Imperial Valley community. Unfortunately, however, acknowledgment of these responsibilities has not proceeded with the same urgency as did the promulgation of the California Plan. As a result, implementation of the California plan may yet founder because there is understandable resistance to its potential consequences arising from an environmental community concerned most particularly about its impacts on the incredibly diverse bird life, including the endangered pelican, who even in today's degraded circumstances make use of the Salton Sea's bounty. And it may founder as well because within the Imperial Valley there are many who understandably question the adverse distributional and economic effects that could result from implementation of the conservation and transfer provisions of the California plan, even as some could obtain very large financial benefits from the transfer payments.

External pressures to address and resolve these problems are significant. Most notably, as the Subcommittee chairman is of course aware, his bill, H.R. 3208, designed to move forward California's other great experiment with consensus decision-making, the CALFED process, was recently amended in Committee mark-up by the Committee's chairman, Congressman Hansen of Utah. The Chairman inserted a draconian provision into H.R. 3208, section 301 (e), that would prohibit the Secretary of the Interior from delivering to California any more than 4.4 million acre feet of water in any year after 2016, except when the Colorado River is in a flood avoidance circumstance. If passed into law, this provision effectively requires California to move even faster and more comprehensively towards 4.4 than would otherwise be the result of implementation of the California plan. While the present California plan is often referred to as a 4.4 plan, in its explicit terms it would appear to commit the state only to move substantially in the direction of 4.4, rather than actually to achieve that landmark on a regular basis by the year 2016.

The question thus arises whether the responsible entities at all levels of government have the intention, the will, or the means to address the environmental and the socio-economic aspects of California's present and future diversions of water from the Colorado River.

In answering this question, the jury is still out. In recent months, the four agencies who share most of California's Colorado River rights only have recently begun to struggle seriously with the environmental issues and to engage environmental stakeholders in discussions that could lead to solutions protecting most of the environmental resources at issue. In particular, the concept of generating a large fund, with major contributions from the agencies, from the state, and from the United States, that would be used to address the environmental issues, has won considerable support. With sufficient financial resources and governmental commitments, an environmental solution, such as the one proposed by the Pacific Institute to save the most ecologically significant aspects of the Salton Sea on a sustainable basis, could well allow the California plan to proceed without major adverse environmental consequences. Indeed, if such a solution can be devised that is sustainable over a long period, the net result may well be environmentally positive, in that the current trend line for fish survival in the Salton Sea, absent governmental intervention, is undoubtedly negative under virtually any scenario.

The socio-economic issues in the Imperial Valley are another story. Despite the fact that the Imperial Irrigation District board is an entity elected by the community at large, unlike most agricultural water districts in California whose boards are selected only by landowners, the unemployment rate in Imperial Valley is high and the income disparities great. The income generated from the conservation and transfer arrangements that the IID has negotiated could help address these problems if the community seizes the

opportunity. Many of the past delays in reaching consensus on the California plan, and the more recent delays in developing environmental mitigation and restoration plans, however, can be attributed to divisions within the Imperial Valley community. It no doubt would be difficult for any community to come to terms with a future in which its principal natural resource is slated to be reduced by as much as 25 percent. But even a future in which IID receives substantially less water can be bright, if the community wisely deploys the financial resources that the south coastal urban areas are providing in exchange for the water lost (at worst, it is worth noting, the IID will still receive close to 2.5 million acre feet per year). Whether Congress or the federal Administration can provide significant help in sorting out the internal divisions within the Valley is unclear. Perhaps all that can be done is being done. The United States is, after all, a full partner with IID in the habitat conservation planning that is a prerequisite to any solution to the California plan's environmental problems. And the United States is also a full partner with the Salton Sea Authority in developing a long-term plan for the Salton Sea, a partnership that ironically also has recently involved addressing economic aspects of the Imperial Valley's water situation, including the highly charged issue of land fallowing.

What these partnerships reflect is the interconnectedness of the environmental, economic, and social issues raised by California's commitment to go on a Colorado River "water diet". No one ever said it would be easy to reduce California's use of Colorado River water by 700,000 acre feet. But with the timely establishment of a substantial environmental mitigation and restoration fund and with meaningful community-based reinvestment of an appropriate share of water transfer proceeds, perhaps the California plan can still become a model of sustainable resource management, not only in California, but for the nation as a whole.

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